UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Elements of Public Law

2526-1-E3902N002

Learning objectives

- Knowledge and Understanding
  The course is designed to provide students with a comprehensive understanding of the Italian constitutional and public system. Particular attention is given to the structure and functioning of the form of government, the organization of public powers, the system of legal sources, the protection of fundamental rights, and the relationship between the national legal system and the European legal order. Students will also develop the ability to grasp constitutional reasoning as it applies to the real-life functioning of the legal system, with a focus on the interplay between various sources of law (including supranational sources) and the constitutional framework for the protection of rights.
- Applying Knowledge and Understanding
  Students will develop the ability to identify and interpret both constitutional and ordinary legal provisions and to apply general criteria for resolving conflicts between legal sources. They will be capable of analysing relatively simple legal cases, particularly those related to fundamental rights and the organization of public authorities.
- Independent Judgment
  Students will be able to critically and independently evaluate the adequacy of the legal system in addressing key constitutional issues. They will be equipped to distinguish among competing legal interpretations and to argue for the most appropriate solution based on constitutional principles, taking into account any relevant ethical implications.
- Communication Skills
  Students will acquire the foundational legal vocabulary of public law and will be able to articulate key concepts clearly and accurately. They will be able to present and explain, both in written and oral form, the content and purpose of constitutional provisions as well as the most relevant ordinary legislation in the field, adapting their register to suit different audiences.
- Learning Skills
  Students will develop the essential tools to pursue the study of constitutional law autonomously and effectively, with a particular focus on legal sources, fundamental rights, and the organization of public powers. They will be able to understand and critically assess proposed constitutional amendments and major legislative reforms with constitutional relevance (e.g., electoral reform, changes to legal institutions

concerning rights protection or social services). Students will also be able to keep their constitutional knowledge up to date to meet future professional and civic responsibilities.

Contents

The course explores Italian constitutional and public law within the broader context of European integration. Key areas of focus include the organization of public authorities, national and supranational sources of law, and constitutional rights and duties.

Detailed program

1. Legal systems and the State
2. The emergence of modern constitutions and the evolution of state forms
3. The Italian Constitution: history, development, fundamental principles, and constitutional amendments
4. Sources of law: legal and social norms; interpretation and application of legal norms; hierarchy and structure of legal sources; individual sources and their legislative processes
5. Forms of popular sovereignty: representative democracy (electoral system) and direct democracy (referendum)
6. Forms of government
7. Constitutional organization: Parliament; President of the Republic; Government; Judiciary; general principles governing public administration and administrative activity
8. Constitutional justice
9. Regions and territorial autonomies
10. Fundamental rights, social rights, and constitutional duties

Prerequisites

Proficiency in the Italian language.

Teaching methods

21 two-hour lectures delivered through in-person teaching (frontal lectures).
In the event of exceptional circumstances (e.g., public transportation strikes), up to 2 lectures may be held remotely, with prior notice given to students.

Assessment methods

The final examination consists of a written test with open-ended questions covering the entire syllabus.
The test is designed to assess students' knowledge of the subject matter, their understanding beyond mere memorization, their clarity of expression, and their appropriate use of legal terminology.

Textbooks and Reading Materials

Students are required to have direct knowledge of the Italian Constitution and to study the following textbook:
Q. Camerlengo, F. Furlan, Lezioni di diritto costituzionale vivente, Cedam, Padova, latest edition.

Sustainable Development Goals

GENDER EQUALITY | REDUCED INEQUALITIES | PEACE, JUSTICE AND STRONG INSTITUTIONS